



One Size Does Not Fit All in Approach to Aviation Regulation

*How New Changes to Pilot Fatigue Regulations in
Canada Will Impact Isolated Communities*

Presenter: Mesha H. Richard, MDEM, BA Hon. BA.
February 22nd, 2018

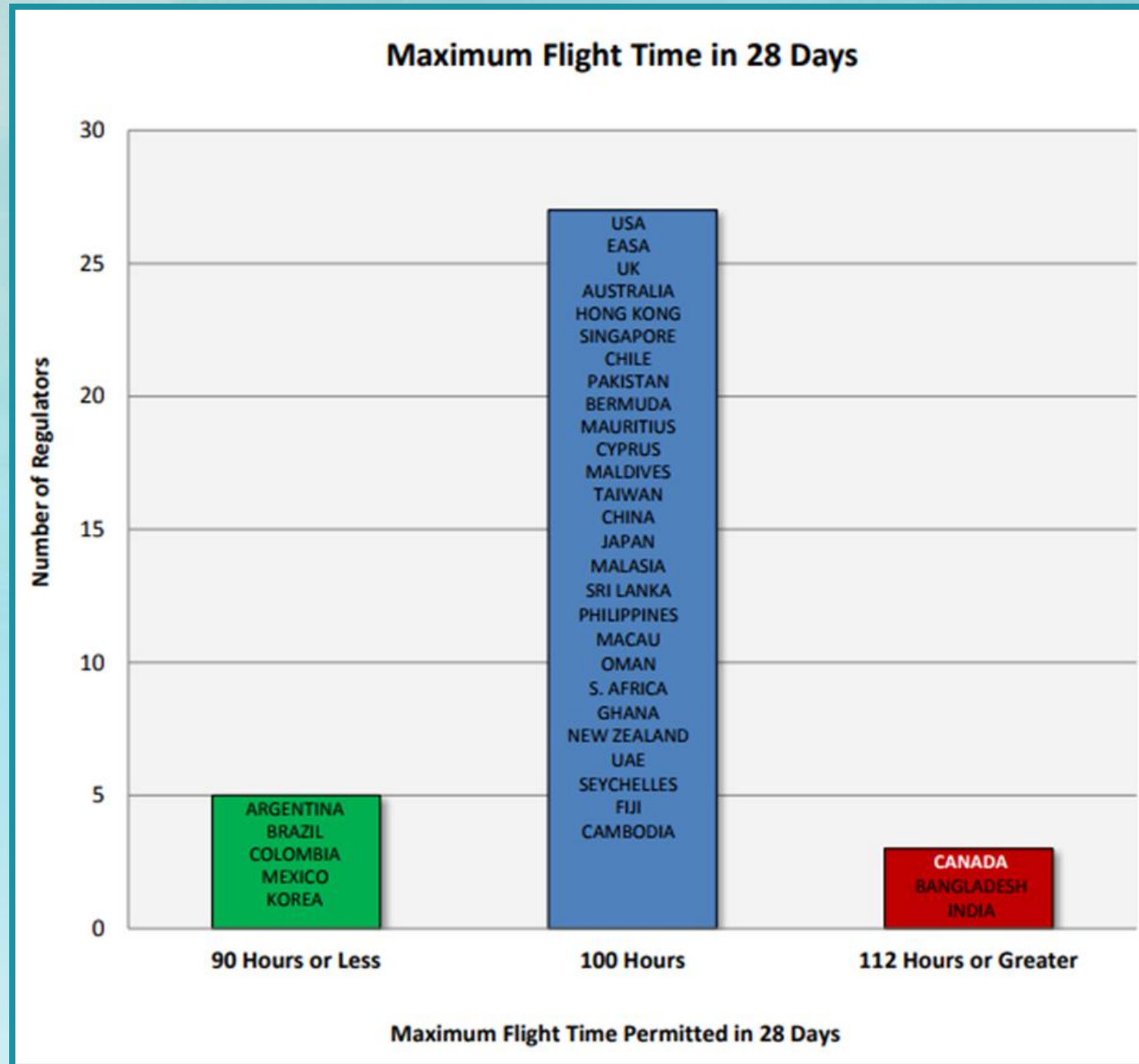
Presentation Outline

- Current Canadian Regulations
- Impetus for Regulations Change: Pilot Fatigue Related Air Incidents
- Proposed Regulations
- Impacts of New Regulation Implementation on Rural and Remote Communities
- The Need for Regulations Flexibility for Rural and Remote Areas
- Conclusion

Current Canadian Regulations

- Little change in the last 20yrs
- Limits crew members to 1,200 hrs in any calendar year
- 40 hrs in any 7 consecutive days
- Limited to 14 hrs
- MEDEVAC Exemption
 - Flight duty time of a crew member may be extended to 17 consecutive hrs in a 24-hr period

*Where Does
Canada Stack Up in
Maximum Flight
Times?*



Impetus for Regulations Change: Pilot Fatigue Related Air Incidents



Colgan Air 3407 crash in February 2009 killed all 49 on board and 1 person on the ground

Close Call of Air Canada Flight 759
June 2017

Air travelers asked themselves: “Has my pilot ever fallen asleep?” and the response from many pilots was in fact: “Yes”

Proposed Regulations:

- Reduce flight times from 1,200 hrs to 1,000 hours in any calendar year
- Flight duty times will now take into account start time of day
 - maximum 13 hrs for daytime flights
 - minimum 9 hours for night time flights
- Canadians and members of the aviation industry were only invited to provide feedback on the draft regulations until September 29th, 2017
 - Consultation period totalled less than three months

Northern airline operators threatened by 'absurd' Transport Canada rules, industry insiders say

'We're so disappointed in the federal government's lack of understanding of the North'

By Darren Bernhardt, CBC News | Posted: Sep 25, 2017 4:00 AM CT | Last Updated: Sep 25, 2017 1:07 PM CT



Medevac operations could be impacted by the new rules, too, critics say. (National Science Foundation)

Pilot shortage affects airline

Demand for commercial aviators leaves Pacific Coastal Airlines and other carriers scrambling

Sara Donnelly / Powell River Peak
JANUARY 24, 2018 08:00 AM

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ATAC mounts lobbying push in Ottawa

Posted on January 30, 2018 by Lisa Gordon

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Describing the proposed new rules governing flight crew fatigue management as “the single most important issue facing our industry,” the Air Transport Association of Canada (ATAC) is mounting an intensive lobbying campaign on Parliament Hill to spread the word that a one-size, prescriptive set of regulations does not fit all aviation operators.

Carriers unhappy with changes to Canadian aviation regs



Air Canada Bombardier CS300

© Bombardier

29SEP2017

Amendments to aviation regulations proposed by Transport Canada regarding pilot fatigue have met with strong criticism from various groups, despite more than three years of stakeholder consultation.

About Air Canada

Pilot fatigue rules set to move forward despite safety concerns

Transport Canada spent six years drafting the new regulations

By Ashley Burke, CBC News | Posted: Jun 07, 2017 6:47 AM ET | Last Updated: Jun 14, 2017 6:23 PM ET



Transport Minister Marc Garneau is moving forward with changes to flight fatigue and duty-time regulations later this month to match standards in the U.S. and Europe. (Sean Kilpatrick/Canadian Press)

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Impacts of New Regulation Implementation on Rural and Remote Communities:

- Ongoing Pilot Shortage
 - Pilot Poaching
 - Retirement
- Lack of Government Investment in Northern Aviation Infrastructure
- Impending Regulations Changes... How much worse can it get?
 - Significant increase in the cost to deliver all forms of northern and remote society services
 - Flights to less popular destinations could be removed/cut back, as a means for carriers to streamline operations and reduce costs
 - May force some northern air operators, and their supporting businesses in remote communities, to shut down completely
 - Implications for MEDEVAC service

The Need for Regulations Flexibility for Rural and Remote Areas

“We keep having these southern problems and southern solutions applied to northern operators who don't have the problem in the first place”

Conclusion

- Allow for further public consultation on the regulations
- Allow for variances in the regulations, example:
 - cargo carriers,
 - medevac crews
 - single engine aircraft
- Timeline for compliance could include a recommendation for a sliding scale, depending on the size of the operator

WASAGAMACK COMMUNITY

A CLOSER LOOK AT RISK, POLICY AND RESILIENCY



WASAGAMACK COMMUNITY

- Oji-Cree First Nation band government in Manitoba, Canada.
- Population of 2000 people

AUGUST 29, 2017

- On August 29, 2017, a wildfire hit Northern Manitoba. Wasagamack, St. Theresa Point, and Garden Hill were the areas in range of the wildfire.
- “About 400 fire fighters, nine water bombers and 21 other aircraft are battling the fire” (Toronto Star)
- Helicoptered to Winnipeg
- Returned September 15, 2017

AIRSTRIP

- No airstrip
- Wasagamack → St. Theresa Point
- Boats only



AIRSTRIP

- The province has deliberated an airport since 1998..... Yet nothing
- October 17, 2017 → the local residents have taken matters into their own hands.
- Infrastructure Canada → priority should be a road rather than a landing strip

RESILIENCY

- Ability to reduce the effects or magnitude and or duration of disruptive events. The effectiveness of resilient infrastructure depends upon its ability to anticipate, absorb, adapt to, and recover from a disruptive event
- Very low
- Boats carry 6-8 people
- Can only leave during the day
- Robustness- only option is to evacuate

CASCADING EFFECTS



FOOD

- Participants in the Wasagamack community were interviewed and 24% stated that an airport was needed to increase food quality
- Food prices are additionally increased since further shipping costs are added due to the lengthened process (flown to St. Theresa Point and then taken by boat to Wasagamack).

HEALTH

- one nursing station which houses three nurses on the reserve.
- Accessible by air

POLICY ANALYSIS

- In 1997 The Minister of Transportation Government Services created a Working Group.
- Found there was a need for an airport
- 2001- project concerned an airport and a 28-km all-weather road connection between St. Theresa Point First Nation and Wasagamack First Nation
- 2012- Shift to water issues
- Ad Hoc policy concerns

RECOMMENDATIONS

- Apparent need for airport- further lobbying since the media coverage has faded
- Self- Funding

Transportation Infrastructure Failure in Churchill, MB

AND ITS CASCADING EFFECTS

STEPHANIE HOFFMANN, BSOCS, MDEM

FEB 22ND, 2018

Today's Presentation

- Background
- Partnerships, Vulnerabilities, Dependencies
- Transportation Policy
- Cascading Effects
- What next?



Background

- Churchill is located....2000 km from Ottawa, 1000 km from Winnipeg and 300 km from the nearest all weather road.
- The railway began servicing Churchill in the early 20th C.
- The railway was purchased by Omnitrax (US company) in 1997, from the Canadian National Railway after the Canadian government deregulated the rail industry.
- May 22nd, 2017 – last trip to Churchill to date, caused by extreme flooding.
- Seasonal flooding was so severe that it washed away the railway track in 19 locations between Gillam and Churchill alone, rendering the line impassable. Omnitrax needed to inspect almost 300 kilometres of track, 28 bridges and 600 culverts in order to assess the damage.
- Omnitrax can't afford to fix rail line – estimates repair cost \$40-\$50 million.

Churchill, Manitoba



Partnerships, Vulnerabilities, Dependencies

- Partnerships: Canada & US; private & public; residents of Churchill & Omnitrax
 - While Omnitrax is privately owned, transportation is provincially and federally regulated
- Extreme dependence on the rail line (food, fuel, building supplies)
 - Travel by air can cost 5 times more, travel by boat is long, costly and not possible all year long. The seaport in Churchill was closed in 2016
 - Tourism most important industry in Churchill – 80% of tourists arrive by train
- Rail vulnerabilities
 - Not the first time the rail line has been closed due to extreme weather conditions.
 - Remote nature of the line: few communities and large unpopulated distances along the track.

Transportation Policy

- The federal government lists transportation as one of Canada's ten 'critical infrastructures'.
- Under the Canadian government's *Railway Operating Certificate Regulations*
 - "An application must contain all of the following...an attestation by the applicant's chief executive officer...that the applicant has the human and financial resources to operate and maintain its railway at the highest level of safety."
 - Omnitrax is further legally compelled to restore service to Churchill under federal laws that prohibit companies from abandoning rail lines.
 - Omnitrax is bound by a contractual obligation to keep the line running, under a 2008 agreement that saw the federal and provincial government contribute 20\$ million each to repair the line.

Cascading Effects

- Food Security
 - for individuals & restaurants
- Health Care
 - medication and supplies & mental health
- Quality of life
 - Propane, gas & diesel
- Tourism
 - Small businesses (hotels, restaurants), craftspeople & guides

What Next?

- Sovereignty in the North and renewed interest in the Northwest passage.
- Omnitrax has said the line might not be fixed until the spring of 2018 at the **earliest**.
- The federal government issued an ultimatum to Omnitrax: fix the line or face an \$18.8 million lawsuit.
- The Canadian Transportation Agency will hear a complaint launched by the Manitoba NDPs against Omnitrax Canada.
 - If federal regulators side with the provincial Opposition party, the company could be forced to repair and resume service on the line.
- A group of First Nations want to buy the line with financial support from the government.
 - Fairfax joins first nations community in partnership to purchase line